



10-24-02

11/17/31

Express Mail No.: EL 500 576 454 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 28 2002

TECH CENTER 1600/2900

Application of: Nehls *et al.*

Application No.: 09/417,522

Group Art Unit: 1631

Filed: October 13, 1999

Examiner: Moran, M.

For: NOVEL HUMAN POLYNUCLEOTIDES  
AND THE POLYPEPTIDES ENCODED  
THEREBY

Attorney Docket No.: 8535-027-999

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESCommissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 17, 2001 of the Primary Examiner finally rejecting claims 3, and 5-13 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three month(s):  
☐ was filed on  
☒ is submitted herewith.
2. ☒ A timely response to the final rejection is filed herewith.
3. ☐ A fee in the amount of \$320.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$160.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1050. A copy of this sheet is enclosed.

Date October 28, 2002

Respectfully submitted,

30,742

Laura A. Coruzzi

(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090  
(Reg. No. 35,203)